

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Sprowls offered the following:

Amendment to Amendment (768878) (with title amendment)

Remove lines 5-104 of the amendment and insert:

Section 1. Telehealth utilization and insurance coverage report.—

(1) The Agency for Health Care Administration, the Department of Health, and the Office of Insurance Regulation shall, within existing resources, survey health care facilities, health maintenance organizations, health care practitioners, and health insurers, respectively, and perform any other research necessary to collect the following information:

(a) The types of health care services provided via telehealth.

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15 (b) The extent to which telehealth is used by health care
16 practitioners and health care facilities nationally and in the
17 state.

18 (c) The estimated costs and cost savings to health care
19 entities, health care practitioners, and the state associated
20 with using telehealth to provide health care services.

21 (d) Which health care insurers, health maintenance
22 organizations, and managed care organizations cover health care
23 services provided to patients in Florida via telehealth, whether
24 the coverage is restricted or limited, and how such coverage
25 compares to that insurer's coverage for services provided in
26 person. The comparison shall at a minimum include:

27 1. Covered medical or other health care services.

28 2. A description of whether payment rates for such
29 services provided via telehealth are less than, equal to, or
30 greater than payment rates for such services provided in person.

31 3. Any annual or lifetime dollar maximums on coverage for
32 services provided via telehealth and in person.

33 4. Any copayments, coinsurance, or deductible amounts, or
34 policy year, calendar year, lifetime, or other durational
35 benefit limitation or maximum for benefits or services provided
36 via telehealth and in person.

37 5. Any conditions imposed for coverage for services
38 provided via telehealth that are not imposed for coverage for
39 the same services provided in person.

40 (e) The barriers to using, implementing the use of, or

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41 accessing services via telehealth.

42 (2) The Telehealth Advisory Council is created within the
43 Agency for Health Care Administration for the purpose of making
44 recommendations based on the surveys and research findings
45 required by this section. The agency shall use existing and
46 available resources to administer and support the activities of
47 the council under this section.

48 (a) Members of the council shall serve without
49 compensation and are not entitled to reimbursement for per diem
50 or travel expenses. The council shall consist of 15 members, as
51 follows:

52 1. The Secretary of Health Care Administration, or his or
53 her designee, who shall serve as the chair of the council.

54 2. The State Surgeon General or his or his designee.

55 3. The following members appointed by the Secretary of
56 Health Care Administration:

57 a. Two representatives of health insurers that offer
58 coverage for telehealth services.

59 b. Two representatives of organizations that represent
60 health care facilities.

61 c. Two representatives of entities that create or sell
62 telehealth products.

63 d. One representative of an organization that represents
64 telehealth stakeholders.

65 e. Two representatives of long-term care services, one of
66 whom shall be a representative of a nursing home and one of whom

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67 shall be a representative from a home health agency or
68 community-based health services program.

69 4. The following members appointed by the State Surgeon
70 General:

71 a. Two health care practitioners, each of whom practices
72 in a different area of medicine.

73 b. Two representatives of organizations that represent
74 health care practitioners.

75 (b) The council shall review the surveys and research
76 findings required by this section and make recommendations to
77 increase the use and accessibility of services provided via
78 telehealth, including the identification of any barriers to
79 implementing or accessing services provided via telehealth, in a
80 report that shall be submitted to the Governor, the President of
81 the Senate, and the Speaker of the House of Representatives on
82 or before December 1, 2018.

83 (3) The Agency for Health Care Administration shall
84 compile the surveys and research findings required by this
85 section and submit a report of such findings to the Governor,
86 the President of the Senate, and the Speaker of the House of
87 Representatives on or before June 30, 2018.

88 (4) The Department of Health shall survey all health care
89 practitioners, as defined in s. 456.001, upon and as a condition
90 of licensure renewal to compile the information required
91 pursuant to this section. The Department of Health and the
92 Office of Insurance Regulation shall submit their survey and

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93 research findings to the agency and shall assist the agency in
94 compiling the information to prepare the report.

95 (5) The Agency for Health Care Administration, the
96 Department of Health, and the Office of Insurance Regulation may
97 assess fines under ss. 408.813(2)(d), 456.072(2)(d), and
98 624.310(5), Florida Statutes, respectively, against a health
99 care facility, health maintenance organization, health care
100 practitioner, and health insurer for failure to complete the
101 surveys required under this section.

102 (6) This section expires January 1, 2019.

103 Section 2. This act shall take effect July 1, 2016.

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106 **T I T L E A M E N D M E N T**

107 Remove lines 111-129 of the amendment and insert:
108 An act relating to telehealth; requiring the Agency
109 for Health Care Administration, the Department of
110 Health, and the Office of Insurance Regulation to
111 collect certain information; creating the Telehealth
112 Advisory Council within the agency for specified
113 purposes; specifying council membership; providing for
114 council membership requirements; requiring the council
115 to review certain findings and make recommendations in
116 a report to the Governor and the Legislature by a
117 specified date; requiring the agency to report such
118 information to the Governor and Legislature by a

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119 | specified date; providing certain enforcement
120 | authority to each agency; providing for expiration of
121 | the reporting requirement; providing an effective
122 | date.

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